

REMARKS

The foregoing amendment adds a cross reference paragraph as required by the Examiner. In addition, the paragraph beginning at page 9, line 7 of the substitute specification is being corrected so that "outer wall 2" now reads "outer wall 1".

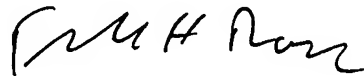
Claims 1, 2, 4 and 8-13 have been rejected for obviousness-type double patenting as being unpatentable over certain claims of U.S. Patent No. 6,616,363. In order to obviate this rejection, Applicants are submitting a Terminal Disclaimer.

Claim 7 has been indicated to contain allowable subject matter, being merely objected to as dependent from a rejected claim. In view of the submission of the Terminal Disclaimer, which places Claim 1 into condition for allowance, there is no need to rewrite Claim 7 into independent form.

In view of the foregoing amendment, the enclosed Terminal Disclaimer and these remarks, it is believed that this application is now in condition for allowance. Favorable action is requested.

Respectfully submitted,

Date: 13 December 2005



Frederick H. Rabin
Reg. No. 24,488

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

APPENDIX

Paragraph beginning at page 9, line 7:

Referring to Figure 1 of the accompanying drawings, there is shown a container comprising an outer wall 1 having an inverted, generally U-shaped cross-section; thus being of generally tubular shape. A layer of thermal insulation (not shown) may be provided in or surround outer wall 2 1. A heat-sensitive strip (not shown) may be provided on the outer wall 1. the circular bottom of the outer wall 1 is closed by a press-fitted closure member 2 to define a compartment 3. The closure member 2 comprises a first generally annular outer section 4 having a first locating member 5 at its edge and a second locating member 6 disposed radially inwardly of the first locating member. Both locating members 5 and 6 are annular and between them define a groove in which the free edge of the sidewall 7 of the outer wall 1 is received and secured. The closure member 2 also comprises an inner generally tubular section 8 which is open at the end adjoining the end remote therefrom. The inner section 8 extends into the compartment 3 and thereby forms of itself a second compartment 9 therein. The compartment 3 of the container is filled with material prior to fitting the closure member 2 to the outer wall 1. In order to accommodate the tubular inner section 8, the compartment 3 is only partially filled with material prior to the introduction of the tubular inner section.